

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 09/788,266 Confirmation No. 4936  
Applicant : Nicholas J. Bonge, Jr.  
Filed : June 16, 2006  
Title : ULTRASONIC TRANSCIVER AND REMOTE CONTROLLED  
DEVICES FOR PETS  
TC/A.U. : 2612  
Examiner : Van Thanh Trieu  
Docket No. : 62428/H514  
Customer No. : 23363

SUPPLEMENTAL DECLARATION FOR REISSUE APPLICATION

Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Pasadena, CA 91109-7068  
April 24, 2009

Commissioner:

I hereby declare that I believe the original patent to be wholly or partly inoperative or invalid by reason of a defective specification or drawing, and by reason of the patentee claiming less than the patentee had the right to claim in the patent.

The error(s) relied upon are as follows:

Applicant and Applicant's attorney failed to appreciate the full scope of the invention (Please see *In re Wilder*, 736 F.2d 1516, 222 USPQ 369 (Fed. Cir. 1984)).

Also, Applicant relies on the fact that the disclosure includes inaccuracies in how the "moving means" element recited in Claim 8 (Col. 9, Lines 54-56) cooperates with the movable panel element recited in Claim 8 (Col. 9, Lines 52-53) to move the movable panel. Specifically, and referring to Column 7, Lines 31-58 of the Patent, reference character 106 (which is actually a cable crimp) is incorrectly referred to as a "hole" (Col. 7, Line 40) in the Specification. Compression spring 111 is incorrectly shown as a locking pin 105 in Fig. 5. Further, in Fig. 5,

reference number 106 incorrectly points to cable 101, and referenced number 107 in Fig. 5 points to the cable crimp. Applicant asserts that these errors and other similar inaccuracies in Col. 7, Lines 31-58 must be corrected via Reissue, because the entire section and Figs. 5 and 6 must be amended in order to ensure that similarly referenced characters refer to similarly referenced parts. Otherwise, independent Claim 8 in U.S. Serial No. 5,872,516 and dependent Claim 9-11 might fail under scrutiny for not being enabling or for being indefinite under 35 U.S.C. §112.

New independent claims 36 and 44 and their dependencies respectfully submitted to correct the error of claiming less the patentee had a right to claim and to correct Applicant's attorney error of not fully understanding the scope of the invention.

I hereby declare that every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this Application, arose without any deceptive intention on the part of the Applicant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Nicholas J. Bonge, Jr.

GSL/vsj

VSJ PAS847044.1.\*-04/24/09 1:54 PM